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Date: January 10, 2005

By: Maureen Golob
Maureen Golob

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: KELLY, *ET AL.*

APPLICATION No.: 10/637,185

FILED: AUGUST 8, 2003

FOR: **ARCADE GAME WITH SPINNING WHEEL BONUS**

EXAMINER: CHIU, RALEIGH W.

ART UNIT: 3711

CONF. NO: 2927

ATTORNEY DOCKET NO.
59027-8001.US12

**Information Disclosure Statement After First Office Action but
Before Final Action or Notice of Allowance – 37 C.F.R. § 1.97(c)**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

1. Timing of Submission

The information transmitted herewith is being filed *after* three months of the filing date of this application or after the mailing date of the first Office action on the merits, whichever occurred last, but *before* the mailing date of either a final action under 37 C.F.R. § 1.113 or a Notice of Allowance under 37 C.F.R. § 1.311, whichever occurs first. The references listed on the enclosed Form PTO-1449 (modified) may be material to the examination of this application; the Examiner is requested to make them of record in the application.

2. Cited Information

☒ Copies of the following references are enclosed:

- ☐ All cited references
- ☒ References marked by asterisks (Reference Nos. 83-108)
- ☐ The following:

☐ Copies of the following references can be found in parent U.S. Application No. _____ :

- ☐ All cited references
- ☐ References marked by asterisks
- ☐ The following:

☐ This application was filed after 30 June 2003 and no copies of U.S. patents nor published applications are enclosed (See Notice of Deputy Commissioner Kunin on 11 July 2003).

☐ The following references are not in English. For each such reference, the undersigned has enclosed: (i) a translation of the reference; (ii) a copy of a communication from a foreign patent office or International Searching Authority citing the reference; (iii) a copy of a reference which appears to be an English-language counterpart; or (iv) an English-language abstract for the reference prepared by a third party. Applicant has not verified that the translation, English-language counterpart or third-party abstract is an accurate representation of the teachings of the non-English reference, though, and reserves the right to demonstrate otherwise.

- ☐ All cited references
- ☐ References marked by ampersands
- ☐ The following:

3. Effect of Information Disclosure Statement (37 C.F.R. § 1.97(h))

This Information Disclosure Statement is not to be construed as a representation that: (i) a search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the cited information is, or is considered to be, material to patentability. In addition, applicant does not admit that any enclosed item of information constitutes prior art to the subject invention and specifically reserves the right to demonstrate that any such reference is not prior art.

4. Fee Payment

No fees are believed due because this Information Disclosure Statement is being filed before the mailing date of the first Office Action.

☐ Applicant further submits that no fee is due in light of the following certification under 37 C.F.R. § 1.97(e) (check only one):

- ☐ In accordance with 37 C.F.R. § 1.97(e)(1), the undersigned hereby states that each item of information submitted herewith was cited in a communication from a foreign patent office in a counterpart

foreign application not more than three months prior to the filing of this statement; or

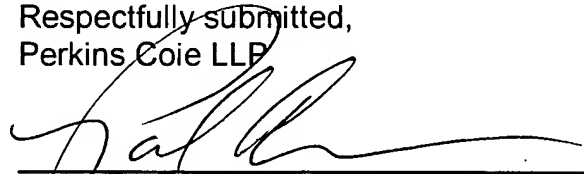
- ☐ In accordance with 37 C.F.R. § 1.97(e)(2), the undersigned hereby states that no item of information submitted herewith was cited in a communication from a foreign patent office in a counterpart foreign application, or, to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c), more than three months prior to the filing of this statement.

However, should the Commissioner determine that fees are due in order for this Information Disclosure Statement to be considered, the Commissioner is hereby authorized to charge such fees to Deposit Account No. 50-2207.

5. Patent Term Adjustment (37 C.F.R. § 1.704(d))

- ☐ The undersigned states that each item of information submitted herewith was cited in a communication from a foreign patent office in a counterpart application and that this communication was not received by any individual designated in 37 C.F.R. § 1.56(c) more than thirty days prior to the filing of this statement. 37 C.F.R. § 1.704(d).

Respectfully submitted,
Perkins Coie LLP

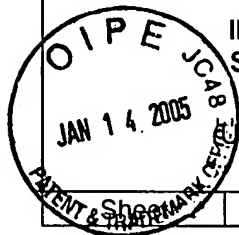


Paul L. Hickman
Registration No. 28,516

Date: January 10, 2005

Correspondence Address:

Customer No. 22918
Perkins Coie LLP
P.O. Box 2168
Menlo Park, California 94026
(650) 838-4300



INFORMATION DISCLOSURE STATEMENT BY APPLICANT

Form PTO-1449 (Modified)
Use several sheets if necessary)

COMPLETE IF KNOWN

Application Number	10/637,185
Confirmation Number	2927
Filing Date	August 8, 2003
First Named Inventor	Bryan M. Kelley
Group Art Unit	3711
Examiner Name	CHIU, Raleigh W.
Attorney Docket No.	59027-8001.US12

1 of 5

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No.	U.S. Patent or Application		Name of Patentee or Inventor of Cited Document	Date of Publication or Filing Date of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		NUMBER	Kind Code (if known)			
	1.	D 272,920		Wichinsky, et al.	03/1994	
	2.	D 278,069		Wichinsky, et al.	03/1985	
	3.	D 332,976		Gutknecht, et al.	02/1993	
	4.	473,265		Reisky	04/1892	
	5.	810,299		Pettee, O.E.	01/1906	
	6.	941,194		Hamilton	11/1909	
	7.	1,543,318		Cardoza	06/1925	
	8.	1,563,983		Higuchi	12/1925	
	9.	1,652,071		Tsujino	12/1927	
	10.	1,879,511		Rodgers	09/1932	
	11.	2,010,213		Bergoffen	08/1935	
	12.	2,141,580		White, S.E.	12/1938	
	13.	2,660,434		Durant	11/1953	
	14.	2,736,559		Turner	02/1956	
	15.	2,926,915		Johns, F.D.	03/1960	
	16.	3,268,227		Thatcher	08/1966	
	17.	3,275,324		Burnside	09/1966	
	18.	3,275,325		MacKenzie	09/1966	
	19.	3,362,712		Cochran, et al.	02/1968	
	20.	3,429,574		Williams	02/1969	
	21.	3,537,707		Goldberg	11/1970	
	22.	3,584,877		Florian	06/1971	
	23.	3,807,736		Goldfarb	04/1974	
	24.	3,843,129		Dietrich	10/1974	
	25.	3,851,879		Hicks	12/1974	
	26.	3,947,030		Goldfarb	03/1976	
	27.	4,120,501		Atherton	10/1978	
	28.	4,157,828		Cosmopulos	06/1979	

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*EXAMINER: Initial if reference considered, whether or not criteria is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to application(s).

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		NUMBER	Kind Code (if known)			
	29.	4,177,996		Chang	12/1979	
	30.	4,200,896		Baumann	04/1980	
	31.	4,212,465		Arad	07/1980	
	32.	4,216,961		McQuillan	08/1980	
	33.	4,227,690		Pitkanen	10/1980	
	34.	4,240,635		Brown	12/1980	
	35.	4,260,153		Nishimiya	04/1981	
	36.	4,348,028		Barlow	09/1982	
	37.	4,397,463		Moscovich	08/1983	
	38.	4,496,160		Wichinsky, et al.	01/1985	
	39.	4,569,522		Davies	02/1986	
	40.	4,602,789		Chung	07/1986	
	41.	4,662,846		Quercetti	05/1987	
	42.	4,701,056		Barlow	10/1987	
	43.	4,732,391		Karr	03/1988	
	44.	4,743,024		Helm, et al.	05/1988	
	45.	4,772,024		Werner	09/1988	
	46.	4,837,728		Barrie, et al.	06/1989	
	47.	4,861,041		Jones, et al.	08/1989	
	48.	4,892,311		Zaitso	01/1990	
	49.	4,930,779		Maddox	06/1990	
	50.	4,948,133		Helm, et al.	08/1990	
	51.	4,957,296		Turnidge	09/1990	
	52.	4,964,638		Ishida	10/1990	
	53.	5,002,279		Kaminkow	03/1991	
	54.	5,014,988		Mirando	05/1991	
	55.	5,014,991		Mirando	05/1991	
	56.	5,016,880		Berge	05/1991	

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		NUMBER	Kind Code (if known)			
	57.	5,024,441		Rousseau	06/1991	
	58.	5,042,813		Huang	08/1991	
	59.	5,048,833		Lamle	09/1991	
	60.	5,066,014		Dobson	11/1991	
	61.	5,071,127		Bromley, et al.	12/1991	
	62.	5,096,192		Stanford	03/1992	
	63.	5,116,055		Tracy	05/1992	
	64.	5,137,278		Schilling, et al.	08/1992	
	65.	5,149,093		Schilling, et al.	09/1992	
	66.	5,181,722		Krutsch	01/1993	
	67.	5,184,821		Korenek	02/1993	
	68.	5,249,800		Hilgendorf, et al.	10/1993	
	69.	5,280,909		Tracy	01/1994	
	70.	5,286,023		Wood	02/1994	
	71.	5,292,127		Kelly, et al.	03/1994	
	72.	5,342,049		Wichinsky, et al.	08/1994	
	73.	5,344,144		Canon	09/1994	
	74.	5,374,061		Albrecht	12/1994	
	75.	5,385,347		Halliburton, Ronald D.	01/1995	
	76.	5,409,225		Kelly, et al.	04/1995	
	77.	5,700,007		Kelly, et al.	12/1997	
	78.	5,743,523		Kelly, et al.	04/1998	
	79.	5,779,549		Walker, et al.	07/1998	
	80.	5,967,514		Kelly, et al.	10/1999	
	81.	6,244,595		Kelly, et al.	06/2001	
	82.	6,491,296		Kelly, et al.	12/2002	

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No.	Foreign Patent or Application	Name of Patentee or Applicant of Cited Document	Date of Publication or Filing Date	Pages, Columns, Lines, Where Relevant	T
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Attorney Docket No.	59027-8001.US12

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		Office	NUMBER	Kind Code (if known)			
	83.	PCT	**WO9836809		Seidman Charles B., et al	08/27/98	
	84.	USA	**1,987,449			07/16/96	

OTHER PRIOR ART-NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume issue number(s), publisher, city and/or country where published.	T
	85.	**Exhibit A	
	86.	***"Sidewinder," Bob's Space Racer, Inc. 1991, 1993, pp. D380-D381	
	87.	**Request for Certification, State of New Jersey, Dept. of Law and Public Safety, Division of Alcoholic Bev. Control, Bureau of Amusement Games Control, March 22, 1988	
	88.	**Certification of Amusement Game, New Jersey Dept. of Law and Public Safety, Division of Alcoholic Bev. Control, Bureau of Amusement Games Control, March 30, 1988	
	89.	**Amended Certification of Amusement Game, New Jersey Dept. of Law and Public Safety, Division of Alcoholic Bev. Control, Bureau of Amusement Games Control, June 30, 1988	
	90.	***"Gambling Devices Act of 1962," Title 15 U.S. Code, § 1171-1177, Section § 1171	
	91.	***"Legalized Games of Chance Control Cission," Statutes & Regulations Governing Conduct of Amusement Games, February 1993, pp. D362-376	
	92.	**InteractiveAgeDigital, Web Site http://www.commweek.com , retrieved on 2/28/00, CMPnet, CMP Media Inc., 2000	
	93.	**Plus Lott, Web Site http://www.pluslotto.com , retrieved on 2/28/00, PLUS Lotto 1995- 2000	
	94.	**Stanford Wong, "Professional Video Poker 1 st Ed." Pi Yee Press, La Jolla, CA (1988)	
	95.	**Dwight & Louise Crevelt, "Video Poker Manual" Gollehon Books, (1991)	
	96.	**John Gollehon, "All About Slots and Video Poker" Perigee Books, (1988)	

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Sheet	5	of	5		

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	97.	**Bradley Davis, "Mastering Joker Wild Video Poker," Applied Technology Press, Aurora, CO (1990)		
	98.	**John Scarne, "Scarne's Encyclopedia of Games, " Harper & Row, New York, NY (1973)		
	99.	**John Scarne, "Scarne's Guide to Modern Poker," Simon & Schuster, New York, NY (1980)		
	100.	***"IGT Player's Edge Poker Service & Parts Manual," (Part Number: 821-021-00), International Game Technology (IGT) (1986)		
	101.	***"Player's Edge Plus Video Poker Machine – Field Service Manual," (Part Number: 821-029-00 Rev. A), International Game Technology (IGT) (1988)		
	102.	***"Player's Edge Plus Servies – Field Service Manual," (Part Number: 821-037-00 Rev. A), International Game Technology (IGT) (1989)		
	103.	***"Player's Edge Plus International Poker – Program Reference Guide, "(Part Number: 821-038-00 Rev. A), International Game Technology (IGT) (1989)		
	104.	***"Player's Edge Plus Domestic Video Poker – Progam Reference Guide," (Part Number: 821-039-00 Rev. A), International Game Technology (IGT) (1989)		
	105.	***"Holt Electric Circuits, Digital & Analog," John Wiley & Sons, NY, (1978)		
	106.	**Marshall Fey, "Slot Machines" Nevada Publications, 1 st Ed., (1983)		
	107.	**Marshall Fey, "Slot Machines" Nevada Publications, 2 nd Ed., (1984)		
	108.	**Marshall Fey, "Slot Machines" Nevada Publications, 3 rd Ed., (1991)		

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